

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LUCILLENE HAREWOOD,

Plaintiff,

-against-

J.C. PENNEY COMPANY, INC.,

Defendant.

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ORDER

CV 08-1166 (JS)(ARL)

LINDSAY, Magistrate Judge:

Before the court is the defendant's letter application dated April 14, 2009, seeking to compel the plaintiff to provide documents responsive to request nos. 3 and 4 of its December 12, 2008 Notice to Produce and to respond to its Second Set of Interrogatories. Request Nos. 3 and 4 seek authorizations for the plaintiff's worker's compensation file relating to a 1994 on-the-job injury and employment records from Goldwater Hospital. The plaintiff objected to the request on the grounds that the injury took place 15 years ago, she has been retired for seven years, and she is not seeking lost wages. Although the court understands the objections, the injury that occurred in 1994 involved the same body part at issue in this lawsuit and the plaintiff has not been able to provide the defendant with specifics concerning the treatment for her injury other than the hospitalization records. Accordingly, the plaintiff shall provide the defendant with authorizations for her employment and/or workers' compensation file limited to the release of records concerning the 1994 knee injury and subsequent treatment. With respect to the Second Set of Interrogatories, the court is satisfied that the plaintiff has provided the defendant with information responsive to that demand.

Dated: Central Islip, New York
April 17, 2009

SO ORDERED:

/s/
ARLENE R. LINDSAY
United States Magistrate Judge